

Remarks

This Amendment is submitted with a Request for Continued Examination. The Official Action dated August 30, 2006, has been carefully considered. Accordingly, the following remarks are believed sufficient to place the present application in condition for allowance.

By the present amendment, claims 1 and 3 have been amended. Support for the amendments can be found in the specification, claims and drawings as originally filed (for example, see Figs. 3-4). It is believed that these changes do not involve any introduction of new matter, whereby entry is believed to be in order and is respectfully requested. While claim 8 has been withdrawn by the Examiner, Applicants note that claim 8 depends from claim 1, and therefore, if claim 1 is allowed, claim 8 should also be allowed. Accordingly, claims 1, 3 and 5-8 remain pending in this application. As set forth below, it is believed that claims 1, 3 and 5-8 are in condition for allowance.

Claims 1, 3 and 5-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al (U.S. Patent No. 4,759,342) in view of Davidson et al (WO 90/11691). The Examiner asserts that Lee et al teach a lid having an external surface portion and a solid post formed integrally with the surface portion. Moreover, the Examiner notes that Lee et al is silent regarding glass material and threading on the post. However, the Examiner contends that Davidson et al teach that it is well known to provide a lid with a surface portion (16) and an integrally formed, externally hollow threaded post (65) (the Examiner believes the hollowness of the post is irrelevant for the teaching a threaded post). Thus, the Examiner believes that it would have been obvious to one of ordinary skill in the art at the time of the invention to form the post of Lee et al with external threads and to form the lid of glass as taught by Davidson et al, and suggests that it has been held to within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

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As will be set forth in detail below, it is submitted that the molded glass lids defined by claims 1, 3 and 5-7 are nonobvious and patentably distinguishable over Lee et al in view Davidson et al. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

The molded glass lids as defined by independent claim 1, from which claims 3 and 5-8 depend, include an external surface portion and an externally threaded post disposed on the surface portion. The threaded post is formed integrally with the surface portion. The thread post is configured to receive an engagement piece and is free from any openings.

Lee et al disclose a cooking utensil having a pan with a bottom wall adapted to be placed on a heating surface, and the bottom pan wall having a food support surface and an open top water reservoir adjacent the food support surface (abstract).

Davidson et al generally disclose an apparatus and process for marinating foodstuffs (abstract). Davidson et al also teach that the cover includes an upstanding neck portion which has an air inlet aperture which is used to provide for pressure release within the cover during use (page 8, lines 2-6).

References relied upon to support a rejection under 35 U.S.C. §103 must provide an enabling disclosure, i.e., they must place the claimed invention in the possession of the public. *In re Payne*, 203 U.S.P.Q. 245 (CCPA 1979). With regard to independent claim 1, Applicants find no teaching or suggestion by Lee et al of a molded glass lid having an externally threaded post wherein the threaded post is configured to receive an engagement piece and is free from any openings. Rather, Lee et al is directed to a cooking utensil having a lid with an integrated handle such that the lid is used to maintain moisture within the utensil during cooking (col. 1., lines 43-63). As such, Lee et al fails to teach a molded glass lid having an externally treaded post configured to receive an engagement piece.

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Moreover, the teachings of Davidson et al do not overcome such deficiencies. For example, Davidson et al do not teach a mold glass lid having an externally threaded post configured to receive an engagement piece and which is free from any openings. Rather, Davidson et al teach a lid having a hollow opening through the upper portion of the lid (see Fig. 6). As such Davidson et al also do not teach the presently claimed molded glass lid.

Moreover, it would not have been obvious to combine the teachings of Lee et al with Davidson et al because there is no teaching or suggestion to combine such references. While the Examiner notes that the hollowness of the lid shown in Davidson et al is irrelevant, it is this opening in the lid in combination with the threading on the neck portion of Davidson et al which allows air to pass through the disclosed utensil during cooking (see page 8, lines 2-16 and Fig. 6). This design is in contradiction to the design provided for in Lee et al. Lee et al provide for a cooking utensil which keeps the moisture maintained within the device during cooking. One skilled in the art would simply not be motivated to combine the teachings of Lee et al with Davidson et al when the design in Davidson et al provides for the release of vapors during cooking, while Lee et al uses an integrated lid and handle design to maintain moisture within the cooking utensil during use. As such, it would not have been obvious for one skilled in the art to combine the teachings of Lee et al with Davidson et al to teach the presently claimed molded glass lids.

Therefore, Applicants contend that the combination of Lee et al and Davidson et al do not support a rejection of claims 1, 3 and 5-7 under 35 U.S.C. § 103. Applicants therefore submit that the 35 U.S.C. § 103 rejection of the presently claimed molded glass lids of claims 1, 3 and 5-7 over Lee et al in view of Davidson et al has been overcome. Reconsideration is respectfully requested.

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It is believed that the above amendments and remarks represent a complete response to the Examiner's rejections under 35 U.S.C. §103, and as such, place the present application having claims 1, 3 and 5-8 in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,



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